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Address by Secretary of State Madeleine K. Albright to the OSCE Permanent Council

Vienna, Austria

September 3, 1998

Secretary-General Aragona, Chairman Kobieracki, Ambassador Johnson, distinguished colleagues: I am very pleased to speak with you on behalf of the United States.

I have just finished a trip that gave me a chance to address some of the most pressing, practical challenges to democracy and stability in Europe. What I want to do today is to talk about some of these challenges, and then to discuss the role the OSCE can play in helping us meet them.

For the last two days, I was in Moscow with President Clinton for his summit with President

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Photo: Chadwick R. Gore

*Senator Robert Dole and Commissioner Shattuck testify
before the Commission on Kosovo*

Dole, Shattuck Testify on Human Rights Violations in Kosovo

by Robert Hand

In early September, former Senator Robert Dole and Commissioner Assistant Secretary of State for Democracy, Labor and Human Rights John Shattuck traveled to the Serbian province of Kosovo. With a small entourage, they traveled haltingly through more than twenty checkpoints, viewing the death and destruction caused by Serb shelling in the region.

The officials viewed shelled villages abandoned in a "climate of fear". According to Dole, civilians stayed home in the villages during the day, but fled at night in fear of returning Serb soldiers. With no place to go, the Kosovars fled to the mountains, where provisions are quickly depleted. The poor conditions are becoming evident in the children, who are showing signs of scabies and malnutrition. The situation only promises to worsen, as the Serbian winter sets in within a few weeks.

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The Commission on Security and Cooperation in Europe, by law, monitors and encourages progress in implementing the provisions of the Helsinki Accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives, and one official each from the Departments of State, Defense, and Commerce. For more information, please call (202) 225-1901.



Photo: Chadwick R. Gore

Russia's Party of Pensioners leadership in the U.S. House of Representatives, Chairman Sergei Atroshenko third from right
Russian Party of Pensioners Briefs Capitol Hill

by John Finerty

On September 28, the Commission held a briefing with a nine-member delegation representing the Russian Party of Pensioners (RPP). Party Chairman Sergei Atroshenko discussed the economic and social adversity facing senior citizens in Russia today, and his Party's plans to press for government action to ameliorate their plight. Atroshenko expressed cautious optimism regarding the appointment of Prime Minister Primakov, whom he noted was sixty-eight years old, and whose early official pronouncements indicated a willingness to address issues facing senior citizens.

"Nevertheless," he warned, "if the Russian Government does not take adequate steps to improve the situation for seniors, the RPP is prepared to campaign as an independent political force, taking part in government elections at all levels."

The RPP delegation was visiting the United States in connection with the United Nations' Year of the Older Person. There are approximately 38,000,000 persons in Russia of pension age, out of a population of approximately 147,300,000. □

Commissioners Call on Formerly Totalitarian Countries to Return Wrongfully Confiscated Property

by Maureen T. Walsh

On October 13, the U.S. House of Representatives adopted a resolution sponsored by Commission Co-Chairman Rep. Christopher H. Smith (R-NJ) that calls on formerly totalitarian countries to address the problem of claims stemming from illegal and uncompensated property confiscations. The resolution, House Resolution 562, was cosponsored by Commissioner Reps. Matt Salmon (R-AZ), Jon Christensen (R-NE), Ranking Member Steny Hoyer (D-MD), and Edward Markey (D-MA), as well as by Representatives Benjamin Gilman (R-NY), Henry Hyde (R-IL), Dana Rohrabacher (R-CA), Jon Fox (R-PA), and Tom Lantos (D-CA).

Throughout much of this century, individuals and religious communities in Central and Eastern Europe saw their private property plundered by Communist and Fas-

cist regimes. In 1996, a Helsinki Commission hearing examined the efforts underway to restore plundered properties in Central and Eastern Europe. The witnesses at that hearing—which included Stuart Eizenstat, then Under Secretary of Commerce for International Trade and the U.S. Special Envoy for Property Claims in Central and Eastern Europe—explained that, in accordance with international law and practice, the U.S. Government generally seeks compensation from foreign governments only on behalf of property claimants who were American citizens at the time their property was taken. Property claimants who were not American citizens when their property was confiscated by Communist or other totalitarian regimes must seek restitution or compensa-

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Photo: Elizabeth Campbell

The voting committee and the international supervisor prepare for voters in the village of Drežnica, north of Mostar

The Latest Bosnian Elections

by Robert Hand

Over the weekend of September 12-13, elections were held in Bosnia-Herzegovina for offices at all levels of government. These were the third country-wide and fifth set of elections held since the signing of the Dayton Agreement in December 1995. Most analysts agree that the elections mark a new phase in the drawn out period of Dayton implementation, but there are sharply contrasting conclusions on whether the prospects for genuine implementation have improved or not.

There is little dispute that the elections were conducted in a vastly improved environment relative to those held even one year ago, when tensions were still very strong. The campaign was active, due to improved conditions for the media and fewer attempts to intimidate the opposition. The main exception to this was in the Croat-dominated Orasje region of the Federation, where officials belonging to the Croatian Democratic Union (HDZ) openly threatened an opposition rally. Persons from the HDZ list of candidates were subsequently removed as punishment. Political parties competing in the elections were required to publish platforms, place three women among their top ten parliamentary candidates

and disclose their financing, all of which added to the openness of the pre-election period.

Campaign activity was also heightened by increased competitiveness among the contending parties. While politics in Bosnia-Herzegovina remains ethnically based, within the Bosniac, Serb and Croat communities greater attention was paid to alternatives to the ruling and hardline parties. Presidential debates were organized, and those for the Republika Srpska (RS) President and the Serb seat on the collective Bosnian Presidency went very well. The debate among candidates for the Bosniac seat failed when incumbent Alija Izetbegovic declined the invita-

There is little dispute that the elections were conducted in a vastly improved environment relative to those held even one year ago...
—Robert Hand

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Photo: Elizabeth Campbell

The last voter moves through the voting process at a polling station in Vrapčci, north of Mostar.

tion to participate, and the debate among candidates for the Croat seat suffered from the absence of the leading contender, HDZ candidate Ante Jelavic.

Of some 2.6 million registered voters, 1.8 million—about 70 percent—voted, almost 10 percent of them as refugees in Croatia, Serbia-Montenegro and other countries around the world. The elections were again administered by the Organization for Security and Cooperation in Europe (OSCE), through its Mission to Bosnia-Herzegovina headed by retired U.S. Ambassador Robert Barry. Through heavy OSCE supervision of the process, attempts at fraud in the voter registration process were largely deterred. On election day itself, the process ran smoothly, although there were significant problems with the voter registers in many polling stations, with many apparently eligible voters left off the lists. Forty-five polling stations failed to open on the first day of voting, and long lines of angry voters developed at others.

While the problem with the voter registers was attributed to computer problems, in a real sense it was inexcusable for the international community to allow itself to mistakenly disenfranchise members of a voting population filled with conspiracies. While the problem was pervasive in both of Bosnia's two entities—the Federation and Republika Srpska—and showed no signs of discriminating against any particular group of voters, in

fact voters were prone to believe that the OSCE intentionally wanted to disenfranchise certain groups of voters. To its credit, those otherwise unable to vote were allowed to make one last attempt to be enfranchised on election day by casting a “tendered” ballot which

The elections were again administered by the Organization for Security and Cooperation in Europe (OSCE), through its Mission to Bosnia-Herzegovina ...

was validated if the voter was found to be eligible. Almost 12 percent of the ballots cast within Bosnia-Herzegovina, however, had to be cast this way, and many voters have a high distrust of the review system, which is not very transparent. Some, in fact, chose *not* to vote. In the end, about 60 percent of these ballots were de-

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Photo: Chadwick R. Gore

l to r, Anthony Wheeler (World Bank), Dr. Kay King (Office of Congressman Lantos), Dorothy Tuft, Karen Lord, Rudko Kawczynski, Ronald McNamara, Orest Deychakewsky, Erika B. Schlager

Rudko Kawczynski Briefs Commission Staff

by Erika B. Schlager

On September 9, Rudko Kawczynski briefed Commission staff and others on Romani human rights issues. Kawczynski is the Program Director of the Budapest-based Roma Participation Project (RPP), a part of the Open Society Institute. Established in 1997, the RPP works to help Roma help themselves in the struggle for greater integration into the societies of the countries in which they live. The program aims to open the way for Roma to lead peaceful lives amidst the general population, and at the same time retain their cultural identity, to empower them to take part in the democratic process, and to fight for an open society in which they can take part as equal partners.

Rudko Kawczynski is a Lovaro Rom who has lived in Germany and other parts of Central Europe and previously served as a Member of the European Parliament. He has been active in the Romani rights movement for several years and was president of the Roma National Congress in Germany. He is also currently

on the board of the European Roma Rights Center in Budapest, a human rights monitoring organization.

In his remarks at the Commission, Kawczynski described the efforts of his organization to build grassroots Roma organizations, working with local leaders who often do not have any "official" status or standing with

the national government, but who are recognized as leaders in their communities. In selecting areas in which to concentrate, he said that the RPP started by targeting places with relative large concentrations of Roma, such as Macedonia and Bulgaria, and places that had achieved a certain level of democratization, such as the Czech Republic, Hungary and Poland. The RPP

has two criteria for those with whom it works: RPP only gives money to groups of people who will work together and to those who will attend RPP training programs on a periodic basis.

**No government can
survive if it's pro-Roma.
—Rudo Kawczynski**

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Photo: Chadwick R. Gore

l to r, Commissioners Rep. Benjamin L. Cardin (D-MD), Chairman Sen. Alfonse D'Amato (R-NY), Co-Chairman Rep. Christopher H. Smith (R-NJ), Ranking Member Rep. Steny H. Hoyer (D-MD), Ranking Member Sen. Frank R. Lautenberg (D-NJ), and House International Relations Committee Chairman Rep. Benjamin A. Gilman (R-NY) and Rep. Eliot L. Engel (D-NY)

International awareness of this dire situation is slim to nil. There was virtually no international presence in the province, and little media coverage. What coverage did exist lacked visual images, as photographs of the region have been prohibited. The humanitarian centers that existed were sparsely supplied, some containing only a few bags of flour—hardly enough for the hundreds of thousands rendered homeless by the violence.

While in Yugoslavia, Dole and Shattuck met with Yugoslav President Slobodan Milosevic. They described Milosevic as defiant, controlling and cocky, with no concerns about possible NATO action against his country. When confronted about Kosovar refugees living in the mountains, Milosevic called them “merely vacationers” who are able to return home at any time. Any and all

actions taken against the Kosovars were denied, and Milosevic described the situation as a civilian law enforcement matter.

**“[I]t’s going to take the
use of force ... we’ve
tried everything else with
this guy.”
—The Honorable Robert J. Dole**

Following their trip to Yugoslavia, the group traveled to The Hague for a meeting with the International Criminal Tribunal on the former Yugoslavia. Dole and Shattuck reported that many court officials believe that the court has been rendered stagnant—impaired by legalities.

Dole and Shattuck concluded that there was an emphatic need for the involvement of other countries—so that this issue does not become solely a U.S. initiative. According to Mr. Dole, “it’s going to take the use of force... we’ve tried everything else with this guy.” *Katherine Lee contributed to this article.*

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Yeltsin. We pledged that Russia can count on the support of the international community as long as it remains committed to democracy and market reform. We outlined some of the steps we think the Russian Government can take to ensure that investment flows to Russia and stays in Russia.

But we also understood that these solutions cannot be imposed on Moscow from the outside or even on Russia from Moscow. We recognized that reform can only succeed if it reflects the aspirations of the Russian people.

The problem right now is that the Russian people are hurting. Experience has taught them to be skeptical of promises. Many believe that democracy has not empowered them to improve their lives. This is dangerous, because Russia cannot emerge from its difficulties unless its people can take responsibility for shaping their country's future—unless the democratic principles that the OSCE was created to defend become even more firmly embedded in Russia's political culture.

Before going to Russia, I visited Bosnia, where slowly, but surely, those principles are being embraced. It has only been two years this month in Bosnia since a novice OSCE mission carried out a noble cause: not just to monitor elections, but to organize them. Now elections are becoming routine and routinely successful. Normal life is returning to Bosnia's cities. Refugees are taking matters into their own hands and going home—though far too many remain blocked.

When I was in Bosnia more than a year ago, I warned its leaders that we would not permit any partition of their country, nor any revision to Dayton. This time, I said the same thing. But my intention was not to warn; it was to reassure. For the leaders of every community in Bosnia now have a stake in making Dayton succeed. And now they are publicly urging us to reaffirm that nothing will be done to undermine the agreement.

By far the biggest challenge we face in the Balkans today is to end the fighting in Kosovo. There, Serbian forces are still attacking villages, burning houses, and driving people from their homes. The situation is made more difficult by divisions and rise of extremism among Kosovar Albanians in the face of violence from Belgrade.

We have been pursuing three tracks to resolve the crisis—diplomatic, humanitarian, and military. We must work together first of all to get an agreement on self-government for Kosovo. Our special envoy Ambassador Chris Hill has been working with both sides to that

end, with the welcome support of many nations in this room. We are pressing both sides to reach an interim political settlement that can be a basis for eventual final resolution of Kosovo's status. President Milosevic has said publicly that whatever deal is reached could be reviewed in three years so additional steps could be considered. He needs to show the flexibility and commitment needed for agreement. Above all, that means an end to his security forces' repression, something on which we all agree, and which the summit in Moscow reaffirmed.

These negotiations are at an early stage, and they can still fail. But we cannot fail to be ready for success. If an agreement is reached, the international community will need to help implement it. The United States is considering what sort of international role might be appropriate. The OSCE may have a special role to play with regard to elections.

We also have to get displaced people in Kosovo home, because that is a humanitarian imperative, and because it is essential for political reconciliation. More than 200,000 people have fled their homes. Winter weather will be coming in six weeks. The United States is preparing to provide an additional \$20 million in aid now. We all have to provide additional resources to humanitarian organizations, and to find creative ways to get help into Kosovo, and we have to do it right now.

Finally, we must maintain the credible threat of military force. Of course, it would be best to have the broadest possible support for any potential action, and we continue to consult closely with all our allies. But if force does prove necessary, those nations that agree must not hesitate to act. I have consulted closely with General Clark this week and I have asked him and our envoys to look at the role all our options can play in achieving a settlement.

I wanted to mention these issues here because, clearly, this organization has a role to play in resolving the real world challenges we face in Europe. In fact, it is part of a larger and hopeful cooperative effort: to develop institutions that set standards of international behavior, and that require their members to cooperate in upholding those standards. This process began in Europe after World War II. And for the last several years, our task has been to adapt the institutions that emerged after the war to meet the demands of the world not as it has been, but as it is and will be.

We are giving NATO new missions and new members. The EU has launched a single currency and prom-

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ised to expand. I hope it will act on that promise rapidly to give hope to emerging markets by integrating those markets that have already emerged.

Since 1975, the OSCE has been an instrument for preventing conflict, a champion of human rights and the rule of law, a standard bearer for open economies, open societies, and open minds. We should see it today as our institution of choice for defending democracy in Europe. For in that effort, it is uniquely suited to occupy the middle ground between diplomacy and force. Diplomats can persuade and soldiers can fight, but this is the only organization that can put people on the ground in troubled nations and keep them there for the specific purpose of promoting democratic ideals and institutions.

As we adapt the OSCE and our other institutions, we need to keep two principles in mind.

First, the most important challenges we face today are on Europe's periphery. It will not help Europe's wealthiest nations to deepen their unity if freedom falters to the east, and if just 200 miles south of Vienna, we permit another bloody conflict to rage. If the wings of our mansion are crumbling, refurbishing the grand ballroom will do us little good.

The second principle is that our institutions cannot be talk shops. The only reason we come together is to shoulder common responsibilities and to take common actions in defense of democracy, open markets and peace.

We want the OSCE to continue evolving into an organization that is more operational than conversational. We want it to be an organization that produces not just reports, but results. That should be our goal for the OSCE summit in 1999. If an OSCE Charter on European Security is to be completed by then, it must envision an OSCE that is flexible and effective; that has at its disposal the broadest array of tools to prevent conflict and promote democracy; that is able to cooperate with other European and transatlantic institutions.

The charter will not be worthy of signature if its contents are limited to sterile compromises on vague doctrines likely to be out of date before the ink on them has dried. We will need instead to explore new roles for the OSCE in international efforts to resolve conflicts and to promote democracy.

The OSCE must be prepared to stay in Bosnia for the long haul, and we must provide it the resources to get the job done right. It must continue to support respect for basic human rights in Belarus, and freer and

fairer elections in Slovakia. Soon, the OSCE will take over policing responsibilities in Eastern Slavonia, an unprecedented test it must not fail. It must be ready to contribute to a settlement in Kosovo. We will also need a stronger OSCE presence in places where democratic institutions are fragile or under threat. The OSCE's commitment to open offices in all five Central Asian states by the end of this year is a good first step.

Our nations must also make steady progress toward completing the adaptation of the CFE [Conventional Arms in Europe] Treaty. This week in Moscow, Presidents Clinton and Yeltsin highlighted the importance of this goal. They affirmed the importance of full compliance with existing CFE obligations until the adapted Treaty takes effect. Both our governments agreed to do our part to accelerate the pace of negotiations.

Let me say here the same thing I have said to Foreign Minister Primakov. The United States will do its part to ensure this negotiation succeeds. We will not negotiate against an artificial deadline. Neither will we accept a treaty that dilutes Europe's security, or constrains legitimate security interest. But with our NATO allies, we have taken the lead in making detailed, realistic proposals that would increase military stability and openness throughout Europe. We should seek to record significant progress by the Oslo Ministerial this December, and we should make signature of an adapted Treaty a centerpiece of the 1999 OSCE summit.

One final word about the summit: we need a place to hold it. Fifty-three states represented here have accepted Turkey's invitation to meet in Istanbul. I would hope that the fifty-fourth and last could now get on board.

From the negotiation of the Helsinki Final Act to today, participation in the OSCE has always required a leap of faith, vision and confidence in designing the architecture of a future we cannot foresee. It has required a conviction that the people of our countries share the same basic aspirations.

If, as Vaclav Havel has said, communism was defeated by life, by thought, by human dignity, the Helsinki principles spelled out the breadth of those common aspirations. And now, this organization is becoming a practical instrument our people can count on to help realize the vision they share. The United States will do all it can to help the OSCE build on its record of action, engagement and success, and we count on our friends and allies to do the same. Thank you.

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tion under the domestic laws of their former country, even if they later became naturalized American citizens.

Since that 1996 hearing, the Helsinki Commission has actively encouraged the governments in Central and Eastern Europe to adopt nondiscriminatory property restitution laws and has sought to intervene on behalf of several claimants whose rights under existing restitution and compensation laws are not being respected. H.R. 562 continues this effort to enable dispossessed property owners to file claims in their former homelands with a real possibility of achieving a just resolution. The Council of Europe and the European Parliament have also passed strongly worded resolutions calling on the countries of Central and Eastern Europe to adopt legislation for the restitution of expropriated properties.

Some countries in the region have not yet addressed confiscated property issues at all. The resolution is intended to signal the countries of Central and Eastern Europe that the United States is concerned with the urgent return of plundered property to individuals and religious communities. The resolution urges countries to pass laws that will commit their governments to return plundered properties to their rightful owners or, when actual return of property is not possible, to provide prompt, just and effective compensation. This compensation language derives from the 1990 Bonn Document of the Conference on Security and Cooperation in Europe in which the participating States, including those in Central and Eastern Europe, agreed to endeavour to achieve or maintain the "full recognition and protection of all types of property including private property, and the right of citizens to own and use them" and recognized the "right to prompt, just and effective compensation in the event private property is taken for public use."

Although some countries in Central and Eastern Europe have adopted restitution or compensation laws, the laws are often not effectively implemented. In Slovenia, for example, clear mandates in the restitution and compensation law require action on filed claims within one year. Nonetheless, the vast majority of claims remain pending without resolution seven years after the law was passed and five years after the filing deadline. This past September, the Slovenian parliament adopted amendments to its restitution law that would further restrict the ability of victims of the Communist regime to regain ownership and access to their properties. The

House resolution urges countries that have adopted restitution or compensation laws to implement those laws effectively.

Moreover, restitution and compensation laws in several countries contain discriminatory residency or citizenship provisions. The resolution calls on Croatia, the Czech Republic, Latvia, Lithuania, Romania, Slovakia and any other country whose laws or regulations limit restitution or compensation for confiscated properties to people who reside in, or are citizens of, the country from which they seek restitution or compensation, to remove such restrictions. The Czech Republic's citizenship requirement, in particular, discriminates almost exclusively against individuals who lost their Czech citizenship because they chose the United States as their refuge from communism; as many as 8-10,000 Czech-Americans are precluded from even applying for restitution or compensation because of this requirement. Citizenship and residency requirements have been found to violate the nondiscrimination clause of the International Covenant on Civil and Political Rights, an international agreement that these countries have voluntarily signed onto, and yet the countries mentioned have been unwilling to eliminate the restrictions.

Several additional examples help illustrate the state of affairs in Central and Eastern Europe with respect to property restitution.

In Romania, beginning in 1989, hundreds of people pursued restitution claims through the Romanian courts. After obtaining what they believed to be final and irrevocable decrees reinstating their property titles, the property owners began paying property taxes or, in at least one case, thousands of dollars due on an old mortgage. In 1997, the Romanian special prosecutor appealed an estimated 1300 cases to the Supreme Court and managed to get the decisions favorable to the former owners reversed. Although the appeals of these decisions have stopped, the earlier favorable decisions have not been reinstated.

Some positive advancements have been made in regard to the restitution of more than 3000 communal properties, such as orphanages, cultural centers, apartment buildings, ethnic community centers, and houses of worship, lost by religious and minority communities under communism in Romania. In April 1997, the Romanian Government adopted a resolution restoring Jewish community ownership rights over six buildings, in-

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cluding the National Jewish Theater, and issued a May 1997 decree that established a committee with joint government and community participation to review communal property claims. This past June, the Romanian Government pledged to return an additional seventeen buildings to several minority ethnic communities, however, legislation to return properties to the Greek Catholic Church was blocked in Romania's parliament in 1997 and has yet to be enacted.

—In Lithuania, despite enactment of a restitution and compensation law, Lithuanian Government officials also appear disinclined to return properties. Property claimants encounter a variety of roadblocks to restitution, including citizenship requirements, unreasonable bureaucratic delays, and the sudden, suspicious inclusion of claimed properties on an official "Register of Immovable Cultural Properties" as the basis for non-restitution.

A sizeable amount of religious communal property has been returned to Lithuania's Christian communities, but a lesser percentage to the Jewish community. There are still large numbers of claims unresolved. Moreover, Lithuanian law permits only "religious" properties to be restituted to religious communities. As a result, properties such as schools, hospitals, and community centers (i.e., income producing or "secular" properties) that were owned and administered by religious communities have not been restituted.

—Croatia's restitution and compensation law prohibits claims from non-Croatian citizens. Some individuals who have made applications under the law find that their claims do not receive action. In several cases, claimants have waited for years to have a judicial hearing on their claims. In the meantime, expropriated properties are being sold to current tenants.

The Croatian Government recently signed an agreement with the Holy See resolving claims to Catholic Church properties. Under the agreement, the Croatian Government agreed to return certain properties to the Catholic Church, to provide alternate real estate for some of the Church's property, and to make long-term cash payments in exchange for still other properties.

On the other hand, the World Jewish Restitution Organization's (WJRO) attempts to discuss Jewish communal property issues with Croatian officials have been wholly unsuccessful. According to the WJRO, the

Croatian Government has been unwilling to negotiate with Jewish community representatives for the return of Jewish communal property or to even discuss possible solutions to the problem. □



Roma, continued from page 92

Kawczynski described the growing tension in several countries where Roma face severe violence and discrimination and suggested that young, disaffected Roma are increasingly reacting to their abuse with aggression—potentially setting the stage for violent inter-ethnic conflict. Young Roma in the Czech Republic, Slovakia, Bulgaria, and Macedonia are among the most radicalized.

Kawczynski commented on some of the efforts pursued by governments in Central Europe to address Romani concerns. For the most part, these efforts have been undertaken without consultation with the Romani communities they are designed to aid. Consequentially, rather than reflecting the priorities of Roma, they are more likely to reflect the fears of majority communities. In the Czech Republic, for example, he said that money for Roma is often directed to "crime prevention" activities, a relatively limited approach that fails to address the full scope of Romani needs. Western European countries, in turn, tend to view all Roma issues from an [anti-]migration perspective. In most countries, governments tend to seek a small number of Romani chiefs [sometimes self-styled Gypsy kings] who can be held up as the government's interlocutor. These individuals are then co-opted by the government and often lack real credibility in their communities. When asked what he thought of the Hungarian system of minority self-government, introduced in 1994, he said it was designed to "channel Romani political power into a Mickey Mouse parliament."

Kawczynski also described a two-faced approach on the part of many governments. On the one hand, they try to present an image to the international community of being tolerant and responsive to Romani human rights concerns. At home, however, they adopt an anti-Roma posture to foster their populist appeal. "No government can survive if it's pro-Roma," he said. □

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clared as valid. Some voters also complained about ballots which were hard to read in the poor lighting of many polling stations, and many voters abroad chose not to vote due to the cumbersome requirement of multiple mailings to the collection center in Vienna, Austria.

The elections were observed by 18 long-term and about 250 short-term observers from the OSCE, including three Helsinki Commission staff. There was an official U.S. observer delegation led by Special Envoy Robert Gelbard, and local embassies and international bodies present in Bosnia-Herzegovina also fielded observer teams. A large number of domestic non-governmental organizations were able to observe the voting as well, and the political parties all had the right to have observers present at polling stations.

The election results, of course, drew the greatest interest, and in several races produced surprises. This was especially the case in the race for President of Republika Srpska, in which incumbent Biljana Plavsic of the moderate, Banja Luka-based "Sloga" ("Concord") coalition was easily defeated

by the nationalist, Pale-centered candidate of the Serbian Radical Party (SRS) and the Serbian Democratic Party (SDS), Nikola Poplasen. In contrast, Sloga's Zivko Radisic defeated the SRS-SDS incumbent on the collective Bosnian Presidency, Momcilo Krajisnik. The RS National Assembly essentially remained without a party or coalition able to form a government on its own. Support provided by delegates elected largely by displaced Bosniacs and Croats as well as Socialist Party commitment to the Sloga coalition will both be critical to the maintenance of a government led by current Prime Minister Milorad Dodik, whose Party of Independent Social Democrats increased their representation.

In the Federation, Bosniac Representative Izetbegovic readily won reelection, while the HDZ kept the Croat seat with the victory of Jelavic over the incumbent Kresimir Zubak, who had split from the party earlier in 1998 to form his own New Croatian Initiative. At the same time, support for the HDZ among Croats, as reflected in the race for the Croat seat, dropped from almost 90 percent in 1996 to only about 53 percent in

1998. The moderate and most multi-ethnic of the major political parties, the Social Democrats, made significant gains in parliamentary races at both the Federation and All-Bosnian levels of parliament, as well as that for the Croat seat on the Bosnian Presidency. The results in the cantonal races showed similar results as a whole, with changes in some cantons more pronounced than in others.

The election results demonstrated that a nationalist, separatist line is still prevalent among Bosnian Serbs, much to the disappointment of international officials who felt their efforts to marginalize Pale-based leaders by openly supporting more cooperative people had had a much stronger effect. Already, Poplasen has been cautioned by the international community for being too close to Radical Party leader Vojislav Seselj in Serbia, as well as for suggesting possible unification of Republika Srpska with Serbia and

calling on Serb parties to form an "all-Serb" coalition government. Dodik and other moderate RS leaders will likely avoid distancing themselves so much from the Dayton Agreement and alienating non-Serb political parties and for fear of losing international support, but their attempt to achieve a mandate

As Bosnia's political system and elections become less transitory and supervised by the international community, these structural flaws must be overcome if Bosnia-Herzegovina is to survive as a viable, unified state.

to rule the entity will certainly be a challenge.

That said, these elections demonstrate a discernible trend toward pluralism among all three major ethnic groups, which should be to the country's benefit. The real question, however, is whether Bosnia's division is solidifying politically, economically and socially at a faster pace than the incremental progress toward reintegration the elections might demonstrate. Indeed, the most significant flaw with the elections in Bosnia-Herzegovina has been less and less a problem of being "free and fair" in character. Bosnia's political and electoral structures are themselves severely flawed by not requiring Bosnians to vote beyond their ethnicity in presidential races (and hence, not requiring candidates to abandon nationalism and seek the votes of moderates and other ethnicities) or for candidates in districts as opposed to political parties across the two entities in parliamentary and local races. As Bosnia's political system and elections become less transitory and supervised by the international community, these structural flaws must be overcome if Bosnia-Herzegovina is to survive as a viable, unified state. □

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